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COMPLETE

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Q1 Proponent's Full Name* If this proposal is jointly developed by more than one Working Group member, please write the full names of all proponents involved.

Zak Muscovitch

Q2 What type of URS recommendation are you proposing? **Operational**
Fix

Q3 What URS recommendation are you proposing?* Please be succinct as well as substantially specific and not general in nature.* One proposal for one recommendation only.

Revise URS Policy Paragraph 10 to reflect the following new provisions:

10.3 There shall be an option for a successful or non-successful Complainant to extend the registration period for one additional year at commercial rates.

10.5 Notwithstanding any locking of a domain name pursuant to Paragraph 4.1 and notwithstanding the suspension of domain name pursuant to Paragraph 10.2, a registrant shall be entitled to renew a subject domain name registration and the registry shall permit same in accordance with its usual commercial rates for a period of up to one year.

Q4 What is your rationale for the proposal? (250 words max)

What happens when a URS decision is issued, for example, merely one (1) day prior to the expiry of the disputed domain name? Pursuant to Paragraph 12.4 of the URS Policy, an appeal must be brought within 14 days of the decision. Both complainants and respondents would as a result, be unable to appeal under such circumstances, unless they filed the appeal within one (1) day of the decision coming out, since the registration would expire before the end of the 14 day appeal period.

Accordingly, the URS Policy needs to correct this oversight in order to enable the appeal mechanism to work in all situations. Currently, a complainant can only renew a domain name if it was successful in the URS proceeding. The proposal allows an unsuccessful complainant to also renew the registration for a year, so as to enable an appeal in circumstances where the 14 day appeal period extends beyond the registration expiry date.

Similarly, a registrant who wants to appeal a suspension order also needs to be able to extend the registration beyond the original expiry date.

A registrant also needs to be able to extend the registration period if it wants to file a Response within 6 months of the Default Determination, in circumstances where the registration expiry date will occur before the end of the 6 month period.

This policy proposal would oblige the parties to extend the registration period if they wanted to appeal and the domain name was going to imminently expire.

Q5 What evidence do you have in support of your proposal? Please detail the source of your evidence. (250 words max)

The "evidence" in support of the proposal is that the current Policy and Rules on their face, do not contemplate the expiry of a domain name before the parties are able to exercise their legal remedies. This is therefore an apparent gap or oversight in the URS that needs to be addressed.

Q6 Where and how has this issue been addressed (or not) by the Working Group or the Sub Teams to date? (250 words max)

Although the SubTeams and WG looked at the Scope of Remedies, Duration of Suspension and Review of Implementation (See Super Consolidated URS Topics Table at Sections F(1), F(2) and F(3)), this particular issue was apparently not contemplated nor addressed.

Q7 Does the data collected and reviewed by the Sub Teams show a need to address this issue and develop recommendations accordingly? (250 words max)

The data did not address this issue.

Q8 If not already addressed above, on the basis of what information, gathered from what source or Sub Team, is this proposal based, if any? Please provide details. (250 words max)

n/a
